

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

LOGAN MULLINS, individually and on	§	
behalf of all others similarly situated,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 4:18-cv-00025-Y
	§	
AZZ, INC.; THOMAS E. FERGUSON; and	§	
PAUL W. FEHLMAN,	§	
	§	
Defendants.	§	

**DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME FOR
DEFENDANTS TO FILE THEIR ANSWER OR OTHERWISE MOVE IN RESPONSE
TO PLAINTIFF'S CLASS ACTION COMPLAINT**

TO THE HONORABLE COURT:

Defendants AZZ, Inc., Thomas E. Ferguson and Paul W. Fehlman (collectively, the “Defendants”), through their designated counsel, presents this Unopposed Motion for Extension of Time for Defendants to File Their Answer Or Otherwise Move In Response to Plaintiff’s Class Action Complaint for violations of the Federal Securities laws (“Complaint”) in the above-captioned action. Defendants respectfully requests the deadline to file their Answer or otherwise move in response to Plaintiff’s Complaint be extended until forty-five (45) days after the appointment of Lead Plaintiff and Lead Counsel, in accordance with the terms of the Private Securities Litigation Reform Act, 15 U.S.C. § 78u-4(a), *et seq.* (“PSLRA”).

1. Plaintiff filed the Complaint on January 11, 2018. Defendants each agreed to a Waiver of Service in response to the request and notice sent by Plaintiff on January 11, 2018. The current deadline for Defendants to file their Answer to Plaintiff’s Complaint is March 12,

2018. This Motion is timely because it is filed on or before the current answer date of March 12, 2018.

2. The Court has not yet entered a case management plan in this action, and no other deadlines have been set that will be affected by the initial extension.

3. Under Federal Rule of Civil Procedure 6(b)(1)(A), a district court may, for good cause, extend the deadline for the filing of an answer if a request is made before the original deadline expires.

4. Pursuant to the PSLRA, any member of the purported class may move the Court to serve as Lead Plaintiff no later than 60 days after notice of the Complaint is published. 15 U.S.C. § 78u-4(a)(3)(A)(i). No later than 90 days after notice is published, the Court shall consider any such motions made by purported class members and shall appoint Lead Plaintiff. 15 U.S.C. § 78u-4(a)(3)(B)(i). Lead Plaintiff shall, subject to the approval of this Court, select and retain counsel to represent the class. 15 U.S.C. § 78u-4(a)(3)(B)(v).

5. Good cause exists to support the requested extension. The process for appointing Lead Plaintiff and Lead Counsel, which Defendants have no role, may be protracted. Plaintiff's counsel acknowledges that the Complaint is likely to be amended, if Plaintiff's counsel is appointed as Lead Counsel and Plaintiff is appointed as Lead Plaintiff. The resources of the Court and the parties will be conserved by extending the time for Defendants to respond until after the appointment of Lead Plaintiff and Lead Counsel.

WHEREFORE, Defendants request that the deadline for Defendants to file Answer or otherwise respond to Plaintiff's Class Action Complaint be extended until 45 days after the designation of Lead Plaintiff.

Dated February 8, 2018

Respectfully submitted,

BAKER & MCKENZIE LLP

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and PAUL W. FEHLMAN

CERTIFICATE OF CONFERENCE

Elizabeth Yingling and Kimberly Rich, counsel for Defendants, and Jeffrey Block, Bradley Vettraino and Thomas Kirchofer, counsel for Plaintiff, conferred by telephone on February 6, 2018, about this Motion. Plaintiff's counsel agreed to this Motion and agreed that Defendants may have the additional time requested to respond to Plaintiff's Class Action Complaint.

/s/ Kimberly F. Rich
Kimberly F. Rich

CERTIFICATE OF SERVICE

On February 8, 2018, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel electronically or by another manner authorized by Federal Rule of Civil Procedure 5 (b)(2).

/s/ Kimberly F. Rich
Kimberly F. Rich